



## Report to Planning & Zoning Commission

Clay County, Missouri

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<b>Case Number</b>	<b>July 16-122F</b>
<b>Case Type</b>	<b>Final Plat</b>
<b>Project Name</b>	<b>Mac Valley Estates</b>

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Applicant:	Christopher Higgins, Remax Innovations 3200 NE 83 <sup>rd</sup> Street Kansas City, MO 64119
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Owners:	Jody Ann Carlyle, Wade T. McPheeters and Jerry A. Krulic 11423 Chandler Road Kearney, MO 64060
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Request	<b>Final Plat</b> approval of <u>Mac Valley Estates</u>
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Application Submittal	2016-06-10
Public Notice Published	N/A
Neighbor Letters Sent	2016-06-24
Report Date	2016-06-30
Public Hearing Opened	2016-07-12

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REPORT AUTHOR(S)	Debbie Viviano, Planner Kipp Jones, Manager
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Recommendation	APPROVED with conditions
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## General Information

**Site Location:** approx. 7610 NE 174<sup>th</sup> Street  
Section 15 | Township 53 | Range 32

**Site Size:** 38.69± Acres

**Existing Landuse & Zoning:** Agricultural (AG)

**Zoning/Platting History:** None

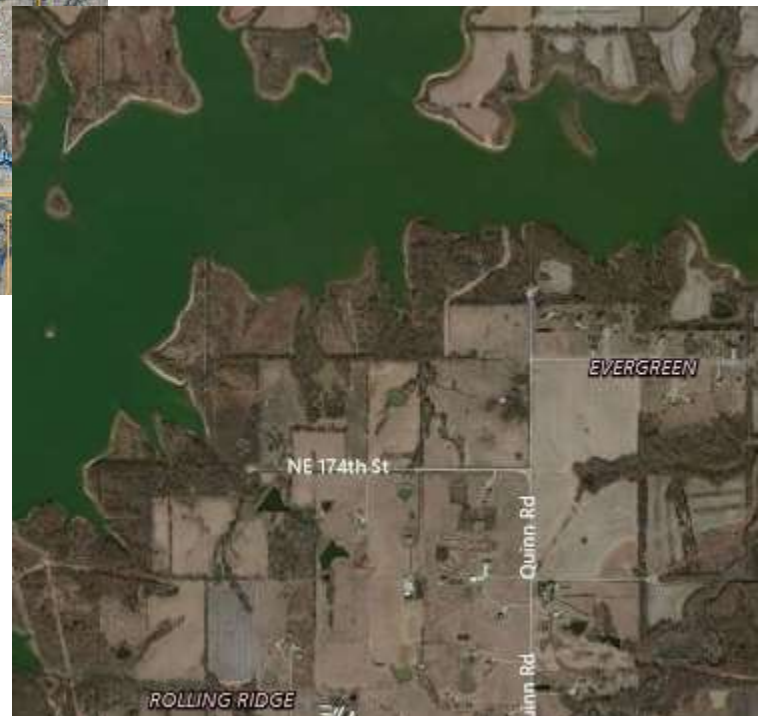
### Surrounding Landuse & Zoning:

- North – Smithville Lake Reservoir
- East – Agricultural (AG) zoned land & Residential Rural (R-1) zoned land
- South – Agricultural (AG) & Residential Rural (R-1) zoned land
- West – Smithville Lake Reservoir

### Current Conditions:



Courtesy of Clay County Assessor GIS/Mapping



Courtesy Microsoft® Bing™



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## Assessment

Christopher Higgins, Remax Innovations, representing for Wade T. Pheeters, Jody Ann Carlyle and Jerry A. Krulic they are requesting **Final Plat** approval for Mac Valley Estates, 38.69± acres located at approximately 7610 NE 174<sup>th</sup> Street.

The owners wish to split this parcel into a total of three lots with the desire to sell the lots.

## Character of the General Neighborhood

The Smithville Lake Reservoir is adjacent on the north and the west of the property. Agricultural (AG) zoned property and Residential Rural (R-1) zoned Districts are to the south and east of the property. [See Attachment B].

## Code Considerations

The review procedures and submittal content for a Final Plat must be in substantial compliance with the approved preliminary plat in accordance with the requirements under **Section 151-3.6 (D)** of the Clay County 2011 Land Development Code ("LDC"). Based on all the materials and evidence presented, the subject request *appears to substantially comply with the LDC and preliminary plat*.

The application was properly noticed, per regulations and adjacent property owners were notified within the mandated 1,000 foot distance by means of a letter dated June 24, 2016.

## Outside Agency Review

The Public Water Supply District No. 9 (PWSD #9) has indicated they are currently able to supply water only to proposed lot 1. Regarding Lots 2 and 3, they will be serviced by either a water line easement on the south side of NE 174<sup>th</sup> Street or a road bore to the north side of NE 174<sup>th</sup> Street. A letter of approval will need to be received from PWSD #9 before recording of the final plat approval.

The Clay County Highway Department has noted NE 174<sup>th</sup> Street is a gravel surface road. NE 174<sup>th</sup> Street dead ends with a cul-de-sac turn around, which is just to the west of the property where the US Army Corp Engineers (US ACE) has Access 24 to the Smithville Lake Reservoir.

The Clay County Health Department has given preliminary and final approval.

The Smithville Area Fire Department serves this property. Future construction will need to comply with their fire protection codes. Any building plans shall be submitted and approved by the fire district before a building permit will be issued, and then prior to a Certificate of Occupancy being issued a letter of compliance is required from the fire district.

## Findings

Road Impact Fees (RIF) are required for the two (2) additional lots. The estimated total amount of RIF is \$6,975.00 and is subject to change at the time of payment based on the market price of material.

A Magellan (Williams) Pipeline is located along the east property line of proposed Lot 1 and within this area is also a proposed 15' utility easement (UE'), before this 15' UE may be recorded (*dedicated*) with the recording of the final plat it must be confirmed with Magellan Pipeline this action is allowed within their easement and there may be no other changes to the final plat.



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During the research of the property it was discovered that the fence for the property to the east is approximately .48 feet west of the property line. Both property owners have been notified of the location of the fence.

### Recommendations

Staff recommends the **Final Plat** of Mac Valley Estates be **Approved**, with the following conditions as shown on Exhibit A:

#### Exhibit A

1. Road Impact Fees (RIF) agreement recorded and fees paid according to the agreement at same time as the recording of the Final Plat.
2. Approval letter from PWSD#9 for establishment of easement or boring to north side of NE 174<sup>th</sup> Street for Lots 2 and 3 before recording of Final Plat.
3. Written confirmation regarding action or any other changes to the final plat from Magellan Pipeline.
4. The following additions or corrections to the recording copies of the final plat:
  - a. **ADD:** Flood Hazard Area & Reference FEMA Flood Insurance Rate Map  
No. Date: August 3, 2015



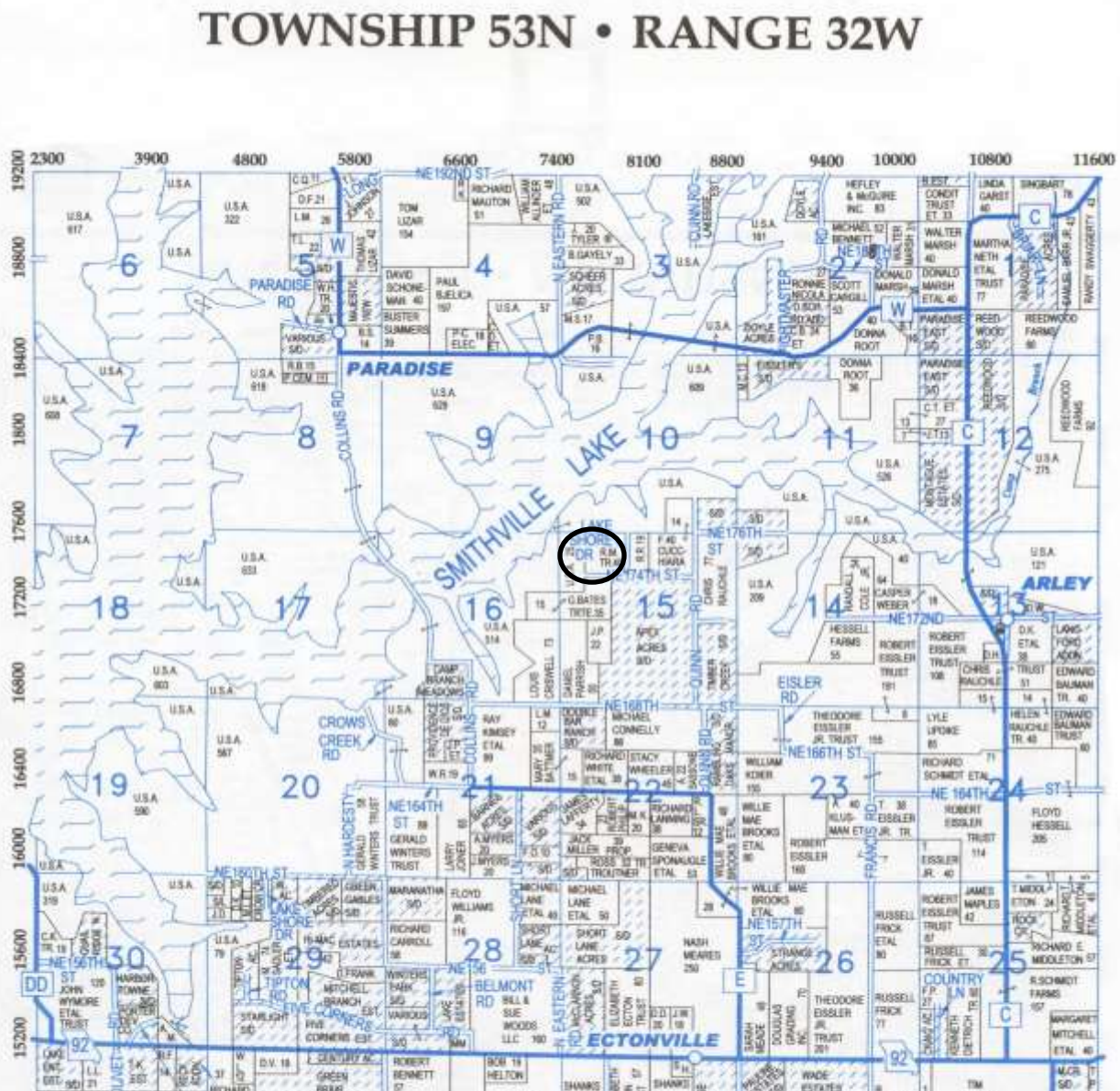


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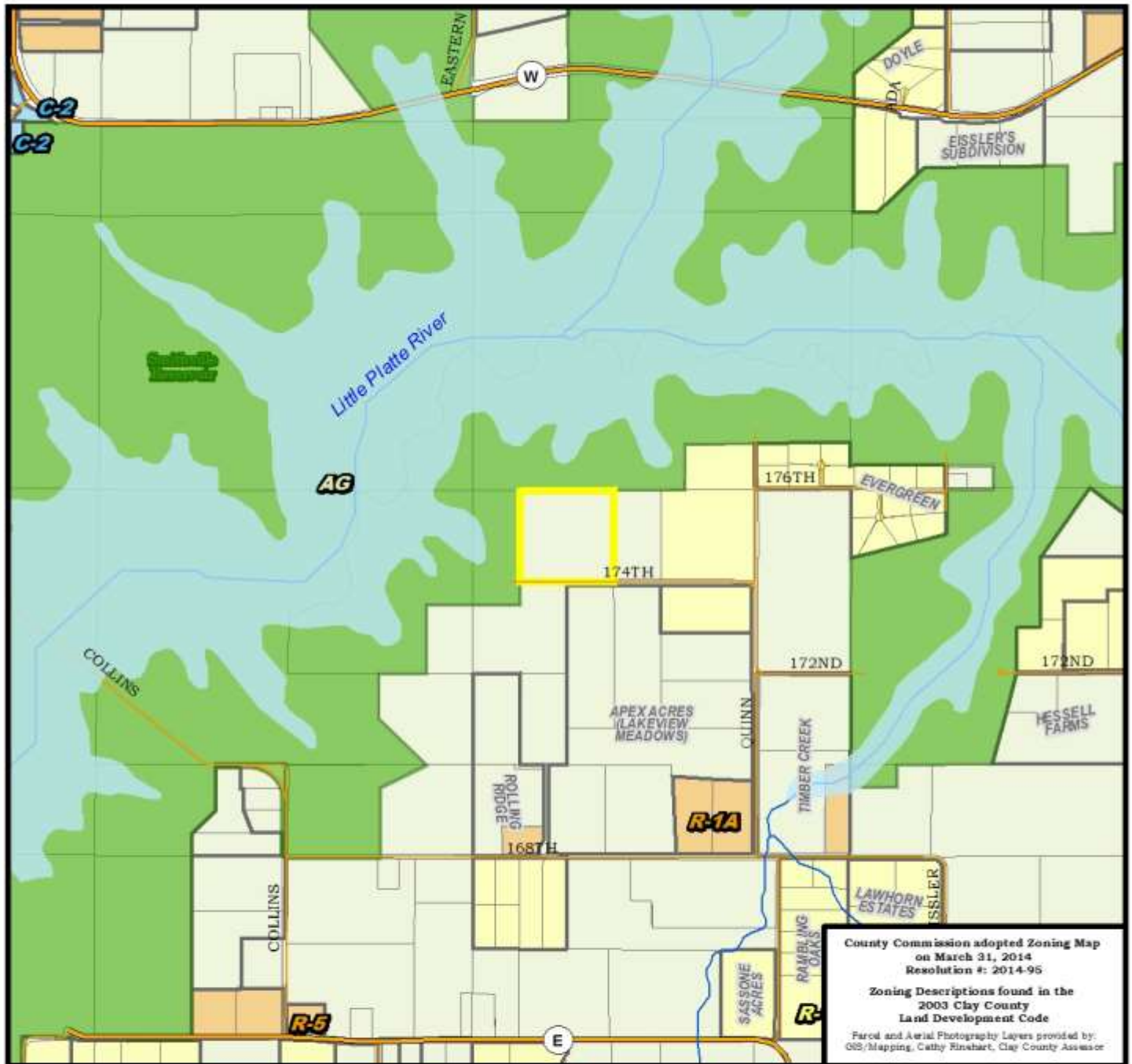
## Attachments

### July 16-124F – Mac Valley Estates Attachment A - Vicinity Map



# July 16-124F – Mac Valley Estates

## Attachment B - Existing Conditions Map



County Commission adopted Zoning Map  
on March 31, 2014  
Resolution #: 2014-96  
Zoning Descriptions found in the  
2003 Clay County  
Land Development Code  
Aerial and Aerial Photography Layers provided by:  
GIS/Mapping, Cathy Kinshart, Clay County Assessor





**July 16-124F – Mac Valley Estates**  
Attachment C - Site Plan Map

